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DEPARTMENT OF TRANSPORTATION

Research and Special Programs
Administration

49 CFR Part 199

[Docket RSPA-97-2995, Notice No. 6]

Control of Drug Use and Alcohol
Misuse in Natural Gas, Liquefied
Natural Gas, and Hazardous Liquid
Pipeline Operations Alcohol Misuse
Prevention Program**AGENCY:** Research and Special Programs
Administration (RSPA), DOT.**ACTION:** Announcement of random drug
testing rate.

SUMMARY: RSPA has received and evaluated the 1997 Management Information System (MIS) Data Collection forms for the drug testing of pipeline industry personnel. The RSPA determined that the random positive drug testing rate for the pipeline industry for the period of January 1, 1997, through December 31, 1997, is 0.7 percent. Therefore, the minimum random drug testing rate will be maintained at 25 percent of covered pipeline employees for the period of January 1, 1999, through December 31, 1999.

DATES: Effective January 1, 1999 through December 31, 1999.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: In a final rule published on December 23, 1993 (58 FR 68257), RSPA announced that it would require operators of gas, hazardous liquid and carbon dioxide pipelines, and liquefied natural gas facilities, who are subject to 49 CFR parts 192, 193 and 195, to implement, maintain, and submit an annual report of their drug testing program data. Operators with 51 or more covered employees are required to submit this information on an annual basis. Operators with 50 or fewer covered employees are required to maintain this information, and RSPA randomly selected 100 operators in this category to submit their data. The drug testing statistical data is essential for RSPA to analyze its current approach to deterring and detecting illegal drug abuse in the

pipeline industry, and, as appropriate, plan a more efficient and effective approach. In 1997, RSPA lowered the random drug testing rate to 25 percent. Since the positive random testing rate continues to be less than 1 percent industry-wide, the RSPA announces in accordance with § 199.11 (c)(3), that the minimum random drug testing rate will be maintained at 25 percent of covered pipeline employees for the period of January 1, 1999, through December 31, 1999.

Submission of MIS reports are due to the Office of Pipeline Safety, Research and Special Programs Administration, DPS-23, Room 7128, 400 7th Street SW., Washington, DC 20590, not later than March 15 of each calendar year. Notice of statistical data will be published in the future to report results of each calendar year's MIS Data Collection results. At that time, the RSPA will also publish whether or not the random rate will be reduced or increased for the pipeline industry pursuant to § 199.11.

Issued in Washington, DC on October 23, 1998.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

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